

MINER RULED OFF ADAMS JURY

Murder Case at Wallace, Idaho,
Being Fought Desperately
on Both Sides.

GREAT INTEREST AROUSED
NAME OF HOPKINS. ADDED. TO
THE INFORMATION.

Wallace, Ida., Feb. 15.—Following the tardy drawing of a fresh venire of fifty men, Judge Woods' court today resumed the delicate task of selecting the twelve jurors who will decide whether Steve Adams shall be hanged for the alleged murder of Fred Tyler, the timber settler, or shall be declared not guilty of this crime and taken to southern Idaho to stand trial there for the alleged conspiracy that led to the assassination of Governor Steunenberg.

How important may be the personnel of the jury in deciding this verdict is recognized not only by the attorneys but by the people of Wallace, and it is freely predicted that in this mining town it would be decidedly difficult to secure a jury which will cast a solid enough vote of "guilty" in spite of such evidence as the state is believed to possess.

Court Room Crowded.
What intense interest the case arouses is indicated by the crowds which keep the courtroom filled, though no disturbance or violence is to be feared. In opinion among the spectators is well divided. Among the merchants and business men there is a well developed sentiment against the Western Federation of Miners, which is defending Adams, while among the working classes there is strong prejudice in exactly the opposite way. This complicates the task of choosing a jury. While all jurors who admit that they are members of the federation can be challenged for cause and excluded, it is believed sympathy with that organization is widespread among miners who are not on the rolls.

Excluding Miners from Jury.
Among the twelve men in the jury box when court convened this morning, two to three are said to be miners, and while none of these admit membership in the union, it is expected the state may watch for its opportunity to get rid of them. Under these conditions, with clever attorneys on both sides fighting for every point of advantage, next week may be far along before even the jury can be completed.

State Gains Its Point.
In the trial of Steve Adams today for murder, Judge Woods gave the state permission to add the name of witness V. B. Hopkins to the information in spite of the protests of the defense. Jack Simpkins was ruled off by the jury on the ground that he is a member of the Western Federation of Miners, which is having for the defense of Adams. The defense took exception.

Jury Completed.
The jury was completed this afternoon. All challenges were exhausted by both the prosecution and the defense. The jury follows:
George Wilson, mining man; A. R. George, retired; Jacob Frank, miner; George H. Curtis, mining man; Harry Wilson, mining man; Pink Rogers, handyman; John Fursi, hotel proprietor; Peter Doyle, employe Hecia mine; Frank J. Redding, merchant; H. Eilers, dairyman; E. Conners, retired; J. Vanderwerker, miner.
The jury, by decision of the court, is attending a performance of the Red Feather Opera company tonight, in charge of a bailiff.

The prosecution will make its opening statement at 10 o'clock tomorrow morning.

ORANGE CROP IS MATURING

Southern California Must be Supplied
With Refrigerator Cars or
Great Loss Will Result.

Los Angeles, Cal., Feb. 15.—The orange crop in southern California, which is now maturing and being picked for the market, is jeopardized to some extent by the shortage of refrigerator cars on all railroads. A. Q. Story, president of the California Fruit Growers' exchange, is quoted today as saying that unless the railroad companies furnish 150 cars every day for the next month, and then increase the number to 200 or 250, that part of the orange crop will be left on the ground. The railroads have promised the growers an average of 150 cars daily and are nearly fulfilling their promise, but the growers say that the cars must be received regularly every day or the harvesting of the crop is interfered with and ultimate loss sustained. Ice is being resorted to to prevent loss on fruit packed and held for cars. Unless food the fruit ripens quickly and decays, some times to the extent of 20 or 25 per cent. Instances of the latter sort occurred within the past week.

NO CHECK TO BUSINESS.

Chicago, Feb. 15.—The strike of the freight handlers of the Chicago Junction railway had no effect today upon the transaction of business at the stockyards. Trains and shipments of cattle were handled as under ordinary circumstances.

BUSTER BROWN



We are
SOLE AGENTS
For Salt Lake City.

Davis Shoe Co.
238-240 Main Street.

OGDEN NEWS.

Office, 2484 Washington Avenue.

Ogden, Saturday, Feb. 16.

YOUNG BRAKEMAN IS KILLED

John Ray of Ogden Crushed Between Cars at Reese Station.

John Ray, the 21-year-old son of Charles Ray of this city, was crushed between the cars of a train upon which he was employed as a brakeman at Reese station, on the main line of the Southern Pacific, ten miles west of Ogden, early yesterday morning and died while being conveyed to the hospital in this city.

Ray had been laying off from duty on the road for some time and was on his first trip over the line when the accident that cost him his life occurred. The train which was eastbound stopped at Reese to switch out some cars. Ray was in the act of shutting off the air cock, preliminary to the coupling of the cars, when the slack of the train moved and he was close in upon him and crush him between the bumpers.

Conductor E. O. Payne, who had charge of the train, hearing Ray's cries, signaled the engine to pull ahead. The young man's body lay on the track. One of his legs was crushed by the wheels. The injured man was sent to Ogden on a special engine, but died on the way to the hospital.

OGDEN MEN WOULD WAIT.
Prefer to Have Galveston Plan Tried in Salt Lake.

About seventy-five representative business men and politicians, members of the Weber club, at a meeting held in the club rooms last evening, voted against the Galveston idea form of government for Ogden.

There were many remarkable incidents connected with the meeting, the most important being the leading of the debate in opposition of the measure by William Craig, president of the Ogden city council. Among those present, in addition to Mr. Craig, were Councilmen Weatherly, Dickson and Thomas. City Recorder Writlow and City Physician J. H. Condon. Those of the city officers who expressed an opinion were all opposed to the new plan of government. The main objection to the proposition seemed to lie in the fact that Salt Lake had adopted a new idea first. A majority of those present expressed themselves as being willing to stand by until the plan is worked out there before adopting it in this city.

Senator Hollingsworth seemed to favor the Galveston idea and explained the salient features of the several bills which he has introduced. He stated that he was willing to join in and help Salt Lake, if they wanted to adopt the idea. Mr. Shesly was also in the city for two years before considering the plan. He insisted that it would take power from the city and that it would be more expensive for the city. "I will vote for the bill as applying to Salt Lake," he said, "and to leave Ogden where it is for the present time."

L. L. Clark favored the McCarthy and La Follette form in preference to the Galveston plan. Those who spoke for the latter were F. M. Lewis, James Mallard and F. M. Griggs. During the session a letter from the mayor of Galveston with regard to the plan was read.

W. J. Shesly was one of the strong opponents to the bill. He declared that there was not the same necessity here for the plan as there was in Salt Lake. Mr. Shesly was also in the city for two years before considering the plan. He insisted that it would take power from the city and that it would be more expensive for the city. "I will vote for the bill as applying to Salt Lake," he said, "and to leave Ogden where it is for the present time."

SUGAR COMPANY'S SEASON.

Amalgamated Closes Down With Product of 12,000,000 Pounds.

The factory of the Amalgamated Sugar company was virtually closed down yesterday and the employes discharged. The season, sixty thousand tons of beets were converted into sugar and 12,000,000 pounds of sugar turned out. This is slightly in excess of the last season's run. There were many delays that lengthened the run during the winter. Chief among these was the lack of coal and the shortage of cars. It is expected that the company will decrease its acreage next year. The factory has been run during the past season far beyond what was originally intended to be its capacity. Even with this effort to cut up the beets virtually 1,000 tons were destroyed, a complete loss.

HEARING OF MOSHER.

Lineman With Too Many Wives Appears in Court.

Harry Mosher, the former lineman who married Miss Rose Smith in this city a short time ago and at the same time had a wife living in Cleveland, O., had a preliminary hearing before Judge J. D. Murphy in the city court yesterday morning and was bound over to the district court under \$500 bail. The only evidence introduced at the preliminary hearing was the testimony of the officers who testified to Mosher having identified a letter from his first wife, and J. H. Stoddard, an employe of the United States railway, who stated that he had received letters from Mrs. Mosher in Cleveland inquiring about her husband. Mosher is charged with polygamy.

School Board Meets.

The question of introducing manual training in the public schools of Ogden was again brought before the board of education last evening by the superintendent, who announced that he was securing data from other cities. It is expected that definite action in the matter will be taken by the board at its next session.

The superintendent's report for the month just closed showed an enrollment of 4,744 with an average daily attendance 1,347 and 96.6 per cent punctuality.

The treasurer's report for the same period showed receipts aggregating \$42,112.65 and disbursements amounting to \$3,844.47. The finance committee reported coin on hand amounting to \$32,132.42.

Modernize Bank Building.

It was announced yesterday that the present owners of the First National Bank building had decided to expend \$25,000 in improving the structure. Among the improvements will be an electric elevator and a spiral staircase. The interior of the building will be entirely modernized and brought up to date.

Burglars in Tailor's Store.

Three expensive suits of clothing, one full dress suit, a number of shirts, shoes, collars and several gowns were stolen from the Edmund Tailor company shop on Twenty-fourth street early yesterday morning. The thieves raised a window in the rear.

Children; Matches; Barn Burned.

Children playing with matches is the cause given for a fire which destroyed a frame barn of D. H. Doney at Thirty-first street and Pacific avenue at 2:45 o'clock yesterday afternoon. The loss is given at \$250 and no insurance.

ENGINEER VISITS SITE.

American Smelting Company's Expert Pays Visit to Ogden.

The chief engineer of the American Smelting company was in Ogden yesterday in company with John Ensign and L. L. Reynolds, secretary of the Weber club, went over the smelter sites near Little Mountain in front of Ogden. Upon their return to Ogden it was announced that the opinion of the engineer was entirely favorable. He is reported to have said that the site was all that it could possibly be, and it is now firmly believed that if this concern leaves the Salt Lake valley it will come to Ogden. This is the third representative of the company to view the location. The president of the board of directors, Mr. J. H. Reynolds, chief engineer was brought back from Mexico to view and pass upon the site, which was eastbound stopped at Reese to switch out some cars. Ray was in the act of shutting off the air cock, preliminary to the coupling of the cars, when the slack of the train moved and he was close in upon him and crush him between the bumpers.

Two Divorces Granted.

Judge J. A. Howell yesterday granted two divorces in the district court. The first was that of Rose E. Feeney, a divorcee from William S. Feeney, in accordance with a decree of divorce granted by the court in 1904. The plaintiff was granted her maiden name, Bessie L. Crawford. The other case was Little Crawford against Jonathan Crawford. In addition to a decree of divorce Mrs. Crawford was given the right to resume her maiden name, Little Crawford, and a month alimony. The cost of the action was charged to the defendant.

Hurt by a Horse.

Edward Call, a farmer residing at Clinton, ten miles from Ogden, while carrying a wild horse yesterday, was struck by the horse's head and sustained a cut four inches long across the face, in addition to a fractured nose. Notwithstanding the great pain connected with the injury, Call mounted a horse and rode to Ogden, where Dr. G. W. Baker dressed his injuries.

Ogden Briefs.

Attorneys W. L. Maginnis and J. H. De Vine were in Salt Lake yesterday on legal business.

Mrs. J. A. Davis of Chicago is in Ogden as the guest of her son, E. A. Davis, Fullman ticket agent.

The local lodge of the Clearmakers' union have arranged to give a dance on the evening of February 21.

Irre Johnson, a mining man of Boise, was in Ogden yesterday on his way to Nevada, where he goes to look over some properties.

Chief Engineer William Ashton of the Short Line passed through Ogden yesterday on his return from an inspection trip to Malad, Ida.

W. R. McKean of Omaha, superintendent of motive power and machinery of the Union Pacific, passed through Ogden yesterday on his way to Portland.

Samuel E. Blaylock of Ogden filed a petition in bankruptcy. His liabilities are given at \$1,463.03, with assets aggregating \$990, of which amount \$85 is exempt.

The local post of the G. A. R., Women's Relief corps and Lincoln circle gave a reception in the city hall last evening. A musical and literary program was rendered and refreshments were served.

The promenade given by the pupils of the high school at the high school auditorium last evening was attended by 700 people. The members of the board of education, the faculty, and others were among those present. A special musical program was rendered and there was dancing.

The trains from the east that were delayed by the floods at Columbus, Neb., commenced to arrive in Ogden yesterday. These were fast mail No. 9 at 3:40, Los Angeles Limited No. 11 at 4:15, a. m., and Overland Limited No. 1 at 8:46 a. m. All of these trains were due to arrive here the day previous.

The body of Ross E. Dunn of Freeland, Mich., who died at Beav, Nev., last Tuesday of inflammation of the heart, was brought to Ogden yesterday. The body will be shipped to Michigan by the Utah Construction company at Beav.

The contract for the parcel of land on the corner of Twenty-third street and Moffat Lane was closed yesterday. The same will pass into the hands of the Utah Light & Railway company. It is the intention of the power people to erect a sub power station upon this property, and it is also probable that an office building will be erected thereon.

UTAH FOR ROOSEVELT;

SMOOTH'S SEAT SECURE

Continued from Page 1.

ment. He was not prepared to adopt such extreme measures, even if the south was discriminated against.

Culberson's Resolutions.
Senator Culberson interrupted Mr. Tillman to present the following resolution:

"Resolved, That the conferees on the part of the senate (on the immigration bill) are instructed to present to the conferees an amendment providing for the exclusion of Japanese laborers and coolies from the United States."

Mr. Tillman had read the debate relating to "new matter" in the conference report on the rate bill at the last session. He did this, he said, that it might be apparent that senators changed their positions from session to session in order that they "may do any old thing."

"I want to know why it is," continued Mr. Tillman, "that the president of the United States should be permitted, if this bill becomes a law, and know will to dicker with labor unions to make bargains with labor unions? Why should the interests of labor on the Pacific coast make it possible for the president to issue an executive order to prohibit the landing of a certain class of immigrants? We ought to have a law to regulate such a thing. It ought not to be left to executive discretion. There ought not to be any bargaining here for political purposes."

Smooth and the Mormon Vote.
"We have all heard that in the last presidential election an understanding was reached by those who had charge of the campaign that if the Mormon vote went a certain way a certain colleague of ours was to be cared for. We heard it talked too much. The colleague, I think, was the beneficiary of that vote—though he did not need it—has exerted himself to the utmost to carry out that agreement and is using his influence to stave off a vote and protect in every way he could the senator from Utah."

"These bargains are not conducive to the public welfare. I am sick and disgusted with this disposition on the part

of the senate and with congress actually surrendering everything in the keeping of the executive."
Mr. Tillman then made reference to "our friend Wadsworth," who, he said, had fallen outside of the breastworks because last winter he had stood for what he believed proper on the meat inspection bill. "I don't see," continued Mr. Tillman; "but of course I am like a child crying in the night."

Gallinger Astounded.
When Mr. Lodge stated emphatically that in his opinion the conferees had not exceeded their authority and that they had gone over all the immigration laws, Mr. Gallinger got recognition. "I simply rise to say that I am astounded by the answer of the senator from Massachusetts," he said.

"That's certainly not a crumb, but a chunk of comfort," responded Mr. Tillman.

Senator Carter took the position that the conferees had exceeded their authority. A vote taken on this question, continued Mr. Carter, "in my judgment, result in the defeat of the conference report." He had reached this conclusion after consulting with many of his colleagues. While it might be extremely important to enact the desired clause regarding passports, he said, he deemed it of vitally more importance that the procedure of the senate in enacting the laws of the country should be preserved. To do otherwise would be to establish a precedent which would be extremely dangerous in the future. If a vote for the conference report involved the approval of the principle involved, Mr. Carter concluded that he was perfectly free to say that he should not entertain the report. This statement brought Mr. Tillman to the conclusion of his speech abruptly with this statement: "Such a clear, forceful, unanswerable presentation of what I have been trying to say, I quit."

Ruling by Fairbanks.

Senator Culberson endeavored to get the vice president to submit to the senate for a vote the point of order made yesterday by Mr. Tillman against the passport amendment, but this the chair declined.

Mr. Patterson then secured unanimous consent for a vote on the conference report before adjournment tomorrow. The discussion to be resumed as soon as morning business is out of the way.

All talk of an extra session of delay of the senate to conduct a filibuster, and many other Democratic senators stated that even if the Georgia senator and the South Carolina senator should not follow them, the purpose they would not follow them.

During the debate a member of the cabinet who was on the floor took certain senators that the subject of state immigration had received the attention of the cabinet at its meeting today and that it was a general conclusion that the terms of the bill would not require a new ruling in the South Carolina case.

EIGHT COUPLES DIVORCED

Judge Morse Sets Them Free and Straightens Out Alimony Squabbles.

Judge Morse in the divorce division of the district court yesterday freed sixteen people from their matrimonial entanglements. The cases were all quickly disposed of.

Charles Chandler, who was deserted by Esther Speckman on June 29, 1905. She asserted that he beat and otherwise abused her and that during her married life she had received from him but \$10. She got her divorce.

John Hall was freed from Anna Carlson, who charged that during his absence from home his wife took all her belongings and most of the furniture and disappeared.

Mary Single filed her suit for divorce yesterday and the case was heard and the divorce granted before noon. They were married in Santa Fe, New Mexico, October 12, 1904 and he soon deserted her.

Ella Kimball Feeny obtained an order to compel Thomas E. Feeny to show cause why he should not obey the money as ordered by the court when she obtained her divorce in 1903. He now owes \$275. His statement was issued returnable immediately.

In suit for divorce by Lydia E. Walton against Orson F. Walton, an order to show cause was issued and the restraining order vacated, except in regard to the homestead, which he is forbidden to dispose of or encumber until the case is determined.

Margaret Wagstaff obtained an order against her husband to compel him to show cause why he does not obey the order of the court and pay his alimony.

COURT RECORD.

New Suits.

8,832—Little Bros. vs. Mary A. Gorman and Patrick W. Gorman; to recover common law damages for breach of contract.

8,833—Larrie L. Smith vs. Edward E. Smith; divorce.

8,834—Jaggie Single vs. William Single; divorce.

8,835—Ellen Garry et al. vs. St. Joe Mining company; defendant's demurrer sustained and plaintiffs given twenty days to answer; restraining order dissolved.

Divorce Calendar.
8,841—Mary O. Chandler vs. Charles Chandler; decree granted.

8,842—Esther Speckman vs. Henry Speckman; decree granted.

8,843—John Hall vs. Anna Carlson Hall; decree granted.

8,844—Maggie Single vs. William Single; decree granted.

8,845—Ella Kimball Feeny vs. Thomas Feeny; order to show cause.

8,846—Lydia E. Walton vs. Orson F. Walton; restraining order vacated except as to homestead.

8,847—Margaret Wagstaff vs. Roy Wagstaff; order to show cause.

Judge Ritchie.
8,848—Steve G. Skiline vs. Leon G. Skiline; contract to sell real estate of cases by stipulation.

8,849—M. Isenberg vs. Charles Crane; passed for present hearing.

8,850—M. Isenberg vs. Charles Crane; passed for present hearing.

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